

**BEFORE**  
**THE PUBLIC SERVICE COMMISSION**  
**OF SOUTH CAROLINA**

DOCKET NO. 2014-\_\_\_\_-C

Application of	)	
	)	
Conterra Ultra Broadband, LLC for a	)	
Certificate of Public Convenience and	)	APPLICATION
Necessity to Provide Local Exchange	)	
Telecommunications Services in	)	
South Carolina	)	

**I.     INTRODUCTION**

Conterra Ultra Broadband, LLC (“Conterra” or “Applicant”), pursuant to the South Carolina Code 589-280 and the rules and regulations of the South Carolina Public Service Commission (“Commission”), hereby submits its Application to provide local exchange services in South Carolina as a competitive local exchange carrier. The Applicant submits the following information in support of its request:

**II.    DESCRIPTION OF THE APPLICANT**

1. Applicant’s legal name is Conterra Ultra Broadband, LLC. Applicant maintains its principal place of business at 2101 Rexford Road, Suite 200E, Charlotte, NC 28211. Applicant is a limited liability company organized under the laws of the State of South Carolina. A copy of Applicant’s Articles of Organization is attached as **Exhibit 1**. A copy of Applicant’s Certificate of Authority to Transact Business in South Carolina is attached as **Exhibit 2**.

2. Name, Address and Telephone Number of Applicant:

Conterra Ultra Broadband, LLC  
2101 Rexford Road, Suite 200E  
Charlotte, NC 28211  
Telephone: (704) 936-1800  
Facsimile: (704) 936-1801

3. Correspondence concerning this Application should be directed to:

Charles L.A. Terreni  
Terreni Law Firm, LLC  
1508 Lady Street  
Columbia, South Carolina 29201  
Telephone: (803) 771-7228  
Facsimile: (803) 771-8778

4. Questions concerning the ongoing operations of Applicant following certification should be directed to:

Angela C. Lee  
Conterra Ultra Broadband, LLC  
2101 Rexford Road, Suite 200E  
Charlotte, NC 28211

5. Applicant's registered agent in South Carolina is:

National Registered Agents, Inc.  
2 Office Park Court, Suite 103  
Columbia, South Carolina 29223  
Telephone: 800-717-2810

6. The following toll-free number is available for Applicant's customer service inquiries:

800-634-1374

### **III. DESCRIPTION OF SERVICES**

1. Applicant will provide two product and service packages: (1) cellular backhaul transport; and, (2) access networks and broadband networks for K-12, healthcare and government entities. Each product and service is physically based on FCC licensed common carrier microwave and fiber optic transport. In addition, each network is customized to a specific customer's needs and requirements and is not available to the general public through retail sales by the Applicant. In the future, the Applicant may expand to provide these services to the general public.

2. Within cellular backhaul transport, the Applicant provides carrier grade Ethernet or TDM connectivity and transport from a wireless carrier or from a lower profile connection point (telecommunications tower, point of presence or carrier hotel). The Applicant supplies customer specified transport bandwidth from site A to Z. The contents of that transport, voice or data, are at the discretion of the customer.

3. Within access networks and broadband for K-12, healthcare and government entities, the Applicant provides carrier grade Ethernet (data) and video and voice connectivity transport from the public switched telephone network (“PSTN”) or Ethernet POP. These broadband networks are defined as wide area networks and are not available directly to the public through the Applicant.

4. Applicant holds certificates of authority to provide the above services in California, Montana, New Mexico, Texas, Virginia, and Washington State. In addition to the foregoing states, Applicant provides services, but does not hold a certificate of authority in Alabama, Arkansas, Georgia, Indiana, Kentucky, Kansas, Louisiana, Maine, Michigan, Mississippi, New York, Oklahoma, Pennsylvania, South Carolina, Tennessee, Utah, Vermont, West Virginia, and Wyoming. Applicant has an application pending in Arizona. Applicant has not been denied authority to provide telecommunications services in any state, nor has any state revoked the authority of Applicant to operate there.

#### **IV. FINANCIAL, MANAGERIAL & TECHNICAL QUALIFICATIONS**

1. Applicant is financially, technically and managerially qualified to operate and manage its proposed telecommunications operations in South Carolina.

2. Applicant possesses the managerial and technical qualifications necessary to provide the services for which it seeks certification in South Carolina. Applicant’s management team has extensive business experience, which will enable Conterra to meet high service quality standards.

With regard to technical resources, Applicant is a highly experienced Ethernet and TDM transport carrier that specializes in the design, deployment and operation of customized transport networks. A summary of the managerial and technical expertise of the Applicant's key management and technical personnel is attached as **Exhibit 3**.

3. Applicant's key management, who may be reached at its principal place of business, are as follows:

Stephen R. Leeolou – Director/Chairman/Chief Executive Officer

Dennis Francis – President/Chief Operating & Technology Officer

Eric D. Burgess – Executive Vice President & Chief Financial Officer

Van Snowden – Executive Vice President, Corporate Development

Tom Prestwood – Executive Vice President, U. S. Sales & Marketing

Keith Stines – Senior Vice President, Network Engineering

Angela C. Lee – VP, Corporate Counsel and Secretary

4. Attached as **Exhibit 4** are the Consolidated Financial Statements for the year that ended on December 31, 2013, for Conterra Ultra Broadband Holdings, Inc., the Applicant's parent company. The Applicant's financial statements contain proprietary, commercially sensitive information that is not available to the general public. Accordingly, **Exhibit 4** is being submitted and filed under seal. The applicant respectfully submits that the public release of the enclosed information would disclose nonpublic and proprietary business information, whereas confidential treatment will not adversely affect the Commission's review of Conterra's application. Therefore, Conterra respectfully requests that the information contained in **Exhibit 4** be accorded confidential treatment and maintained under seal by the Commission. Finally, the Applicant respectfully submits that the attached Consolidated Financial Statements demonstrate that it has ample financial resources to fund the Applicant's proposed operations in South Carolina.

## **V. REGULATORY COMPLIANCE**

1. As required by South Carolina Code 58-9-280, attached hereto are copies of the Applicant's proposed initial tariffs containing rates, terms, and conditions for the services proposed herein. Attached, as **Exhibit 5**, is Applicant's proposed local exchange service tariff.

2. The Applicant agrees to abide by all applicable statutes and all applicable orders, rules and regulations entered and adopted by the Commission.

## **VI. PUBLIC INTEREST**

1. Grant of the authority sought in this Application will serve the public interest. The entry of the Applicant into the local exchange market will enhance the provision of telecommunications services within South Carolina as prescribed by the Federal Telecommunications Act. Granting of this Application will not adversely impact, but rather will contribute to the availability of reasonably affordable local exchange service in South Carolina. The Applicant will provide customers with an optimal combination of price, quality, and customer service. The competition that the Applicant seeks to bring to local telecommunications markets will expand customer choice and spur higher service quality at lower prices through increased innovation and efficiency. The result will be a stimulus to economic growth and development, particularly in the information-intensive service industries that form an increasingly important component of the South Carolina economy. In addition, granting the requested certificate will not unreasonably prejudice or disadvantage any class of customers or service providers. According, the Applicant anticipates that its proposed services will serve the public interest and need by increasing customer choice of innovative, diversified, and reliable service offerings.

## **VII. CONCLUSION**

Based upon the information and attached exhibits, Conterra Ultra Broadband, LLC respectfully requests that the Commission grant its Application for a Certificate of Public

Convenience and Necessity to provide local exchange telecommunications services as a competitive local exchange carrier in the state of South Carolina.

By: \_\_\_\_\_  
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Dated: May 22, 2014